

**\*\*NOT FOR PRINTED PUBLICATION\*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

CHARLES PRESTON,

*Plaintiff,*

v.

DAVID RICHARDSON,

*Defendant.*

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Case No. 4:13CV194  
(Judge Clark/Judge Mazzant)

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On April 30, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's Motion to Remand [Doc. #6] be granted and that the case be remanded to the Justice Court, Precinct 3, Place 2, of Collin County, Texas. The Court further recommended that defendant pay plaintiff's reasonable attorney's fees.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Plaintiff's Motion to Remand [Doc. #6] is granted, and this case is remanded to the Justice Court, Precinct 3, Place 2, of Collin County, Texas.

It is further **ORDERED** that defendant shall pay plaintiff's attorney's fees in the amount of \$900.00, as set forth in the Affidavit of Jacob C. Boswell [Doc. #8].

All relief not previously granted is hereby **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

So **ORDERED** and **SIGNED** this **5** day of **August, 2013**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

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Ron Clark, United States District Judge